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NNNNVV ESA50SLMAG38
RR RUEBBA
DE RUESLM 9601 2942202
ZNY CCCCC ZZH
P 202150Z OCT 80
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC 3440
INFO RUEBBA/AMEMBASSY BUENOS AIRES 4454
RUEHND/AMEMBASSY MADRID 427
RUESLZ/AMEMBASSY LA PAZ 5445
RUEHGV/USMISSION GENEVA 606
BT

ACTION COPY

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TO	ACT	INF	TO	ACT	IF
AMB			ADM		
DCM			SY		
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EGOM			PER		
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CONS			B&F		
ICA			CPO		
LABOR			TCU		
SCI			DEA		
DAO			FAS		
MILGP			CHRON		
FCS			RF		

LIMA 9601

E.O. 12855: GDS 16-20-85 (RITCHIE, JOHN A.) OR-P
TAGS: SHUM, PINT, AP, PE
SUBJECT: (U) CONGRESSMEN TO CALL FOR UNHRC INVESTIGATION IN
PERU OF CASE OF "MONTONEROS"

REF: LIMA 7131

1. SUMMARY: FOLLOWING INCREASINGLY CLEAR SIGNS THAT THE PERUVIAN CONGRESS IS NOT LIKELY TO REVERSE RECENT DECISIONS REJECTING THE FORMATION OF A SPECIAL INVESTIGATING COMMITTEE, THE CHAIRMAN OF THE CHAMBER OF DEPUTIES HUMAN RIGHTS COMMITTEE PROMISED TO TAKE THE CASE OF THE "MONTONEROS" TO THE UNHRC. HE ALSO EXPRESSED THE INTENTION TO CARRY OUT HIS OWN INVESTIGATION IN MADRID. REPORTS THAT THE MINISTRY OF INTERIOR IS NOT ABLE TO PREPARE A REPORT ON THE CASE HAS ADDED TO HIS BELIEF THAT THE CASE SHOULD BE ELEVATED TO AN INTERNATIONAL FORUM. MEANWHILE, AN INDEPENDENT NEWS MAGAZINE CAST SERIOUS DOUBTS ON THE THEORY THAT ARGENTINE AGENTS KILLED ONE OF THE "MONTONEROS" IN MADRID, AND AMNESTY INTERNATIONAL EXPECTS FAILURE OF THE COURT ACTION AGAINST PERUVIAN ARMY OFFICERS ALLEGEDLY INVOLVED IN THE CASE. END SUMMARY.

2. (U) IN OCT 16 INTERVIEWS WITH TWO INDEPENDENT MARXIST WEEKLIES ("EQUIS" AND "MAPKA"), THE CHAIRMAN OF THE HUMAN RIGHTS COMMITTEE OF THE CHAMBER OF DEPUTIES SEVERELY CRITICIZED RECENT DECISIONS BY BOTH HOUSES OF THE PERUVIAN CONGRESS NOT TO ESTABLISH A SPECIAL INVESTIGATING COMMITTEE TO LOOK INTO THE CASE OF THE ARGENTINE "MONTONEROS" WHO WERE ALLEGEDLY DETAINED AND TORTURED IN PERU IN JUNE. COMMITTEE CHAIRMAN, JAVIER VALLE Riestra (APRA), STATED THAT HE AND SEVERAL COLLEAGUES PLAN TO PURSUE THE INVESTIGATION OUTSIDE OF PERU.

3. (U) VALLE Riestra INDICATED THAT ONE PART OF THE PLAN CONTEMPLATES A TRIP TO GENEVA TO ASK THE UNHRC TO INTERVENE. THE OTHER PART ENVISIONS A PERSONAL INVESTIGATION BY HIM IN MADRID, AS HE IS ADMITTED TO PRACTICE LAW IN SPAIN AND IS A PERSONAL FRIEND OF THE MADRID CHIEF OF POLICE, TOMAS ASTILLEROS. HE, HOWEVER, PROVIDED NO DATES FOR EITHER TRIP.

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPC

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

() Classify as () Extend as () Downgrade to

Date Declassify on Reason

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P2 4. (U) THE CONGRESSMAN ALSO TOLD INTERVIEWERS THAT THE SENATE'S REQUEST FOR A REPORT FROM THE MINISTER OF INTERIOR COULD NOT BE PREPARED DUE TO INSUFFICIENT INFORMATION. HE SAID THAT MINISTER OF INTERIOR DELLA JARA TOLD HIM THAT ALL OF THE RECORDS OF THE INTELLIGENCE DIVISION OF THE MINISTRY HAD BEEN REMOVED FROM THE FILES BY THE PREVIOUS GOVERNMENT.

5. [REDACTED] VALLE PIESTRA ALSO EXPRESSED HOPE THAT THE INVESTIGATIVE JUDGE HANDLING THE CASE OF CRIMINAL CHARGES AGAINST ARMY COMMANDING GENERAL RICHTER AND FELLOW ARMY OFFICERS WOULD REMAIN FIRM IN CARRYING OUT HIS JUDICIAL RESPONSIBILITY. HOWEVER, LOCAL AMNESTY INTERNATIONAL REP (AN EXPERIENCED ATTORNEY AND POLITICIAN) TOLD EMBOFF LAST WEEK THAT SHE EXPECTS THIS LEGAL ACTION TO FAIL.

6. (U) RESPECTED INDEPENDENT NEWS MAGAZINE "CARETAS" RAISED SERIOUS DOUBTS ABOUT LEFTIST THEORIES CONCERNING THE DEATH OF LIMA "MONTONERO" DETAINEE NOEMI ESTHER GIANOTTI DE MOLFINO. IN A DETAILED AND CAREFUL REVIEW OF THE FACTS IN THE CASE, THE MAGAZINE FOUND IMPROBABLE THE THEORY THAT ARGENTINE AGENTS TOOK MRS. MOLFINO TO MADRID AND MURDERED HER THERE. THE ANALYSIS PUBLISHED BY "CARETAS" LAST WEEK ALSO GAVE GREATER CREDENCE TO THE GOP COMMUNIQUE WHICH STATED THAT THE "MONTONEROS" WERE EXPELLED AT THE BOLIVIAN BORDER JUNE 17.

7. [REDACTED] COMMENT: AS TIME PASSES, IT APPEARS LESS LIKELY THAT THE CONGRESS WILL EVER AGREE TO ESTABLISH A SPECIAL INVESTIGATING COMMITTEE TO LOOK INTO THE CASE, AS THE GOVERNMENT MAJORITY DOES NOT RELISH A CONFRONTATION WITH THE PERUVIAN MILITARY AT THIS EARLY STAGE OF RESTORED DEMOCRACY. WHETHER OR NOT VALLE PIESTRA AND SOME OF HIS COLLEAGUES PURSUE THE MATTER IN GENEVA OR MADRID IS SOMEWHAT PROBLEMATIC. VALLE PIESTRA HAS BEEN MAKING VERY PUBLIC AND DRAMATIC USE OF HIS CHAIRMANSHIP OF THE HUMAN RIGHTS COMMITTEE SINCE JULY 28, APPEARING TO TAKE ADVANTAGE OF IT AS A BULLY PULPIT FOR REALIZING HIS PERSONAL POLITICAL AMBITIONS.

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